

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DENISE NIXON,

Plaintiff

v.

WENDY NICHOLAS, *et al.*,

Defendants

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Civil No. 3:22-cv-1999

(Judge Mariani)

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of April, 2023, upon consideration of Defendants'

motion (Doc. 16), and for the reasons set forth in the accompanying Memorandum, **IT IS**

**HEREBY ORDERED THAT:**

1. The motion (Doc. 16) is treated as a motion for summary judgment with respect to exhaustion of administrative remedies and is **GRANTED**. The Clerk of Court is directed to **ENTER** judgment in favor of Defendants Wendy Nicholas, William Frantz, Mike Minniq, and E. Stevens, and against Plaintiff.
2. The motion (Doc. 16) to dismiss is **GRANTED** in all other respects.
3. Any appeal from this Order is **DEEMED** frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).



Robert D. Mariani  
United States District Judge